

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 91-432-C - ORDER NO. 92-209
MARCH 23, 1992

IN RE: Application of Business Telecom, Inc.)	ORDER
for Revisions to its S.C. Tariff to)	APPROVING
Introduce Premier 1 Plus Service,)	TARIFF
Corporate WATS Service and Corporate)	REVISIONS
800 Service as a New Service Offering.)	

This matter is before the Public Service Commission of South Carolina (the Commission) by way of an Application of Business Telecom, Inc. (BTI) requesting revisions to its South Carolina Tariff to introduce Premier 1 Plus Service, Corporate WATS Service and Corporate 800 Service as new service offerings. BTI's Application was filed pursuant to S.C. CODE ANN. §58-9-540, S. C. Code of Laws, (Supp. 1990) and the Regulations of the Public Service Commission of South Carolina.

The Commission's Executive Director instructed BTI to publish a prepared Notice of Filing and Hearing in newspapers of general circulation in the affected areas, one time. The purpose of the Notice of Filing and Hearing was to inform interested parties of BTI's Application and the manner and time in which to file the appropriate pleadings for participation in the proceeding. BTI complied with this instruction and provided the Commission with proof of publication of the Notice of Filing and Hearing. A

timely Petition to Intervene was filed by Southern Bell Telephone and Telegraph Company (Southern Bell). Petitions to Intervene Out of Time were filed by the South Carolina Telephone Coalition, GTE South, Inc., Contel of South Carolina, Inc., and United Telephone Company of the Carolinas. The Petitions to Intervene Out of Time were granted. A hearing was commenced on December 10, 1991 at 11:00 a.m., in the Commission's Hearing Room. The Honorable Marjorie Amos-Frazier, presided. Business Telecom, Inc. was represented by Robert D. Coble, Esquire. Southern Bell was represented by Fred A. Walters, Esquire; the South Carolina Telephone Coalition was represented by M. John Bowen, Jr., Esquire; GTE South, Inc. and Contel of South Carolina, Inc. were both represented by M. John Bowen, Jr., Esquire; and United Telephone Company of the Carolinas was represented by William F. Austin, Esquire. The Commission Staff was represented by Marsha A. Ward, Esquire.

BTI presented the testimony of Michael Sledge. Sledge presented a brief overview and explanation of the tariff revisions requested by BTI in South Carolina. The purpose of these revisions is to introduce Premier 1 Plus, Corporate WATS, and Corporate 800 as new service offerings. Premier 1 Plus is for customers with inbound and outbound service. It allows the customer to call to any location or receive calls from any location for one flat rate per minute. Charges are the same regardless of the time of day the call is made or the distance of the call. Corporate WATS Service is an outbound product for large

volume long distance customers. Access is provided through dedicated T-1 access facilities. The Corporate 800 Service is an inbound service for large volume long distance customers using dedicated T-1 Service. Corporate 800 allows the customer to receive calls from any location in the continental United States. Mr. Sledge further testified that BTI owns a switch in Raleigh, North Carolina for the routing of calls and has a tandem in Columbia, South Carolina. Telecom USA carries the calls between the tandem and Raleigh.

Southern Bell presented the testimony of C.L. Addis. Addis questioned exactly what underlying service the Company proposes to resell, i.e., MTS, WATS, FX, Private Line, or Telecom USA. Further, Addis quoted Commission Order No. 86-793, issued August 5, 1986 in Docket No. 86-187-C, which stated that the local exchange carrier (LEC) should be compensated for any unauthorized incidental intraLATA calls completed over services not approved for intraLATA resale by the Commission, as well as incidental unauthorized intraLATA calls completed over interLATA services.

The Commission has examined the new proposed service offerings of BTI, and concludes that the offerings are reasonable and consistent with BTI's original certificate issued in Order No. 89-339, on March 28, 1989 in Docket No. 88-627-C. Further, the Commission does agree that the local exchange carriers should be compensated for any unauthorized intraLATA calls completed over services not approved for intraLATA resale by the Commission, as well as incidental unauthorized intraLATA calls completed over

interLATA services. Because of the above-stated reasoning, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. BTI is offering revisions to its South Carolina Tariff to introduce Premier 1 Plus Service, Corporate WATS Service, and Corporate 800 Service as new service offerings.

2. BTI was previously certificated by the this Commission in Order No. 89-339, issued March 28, 1989, in Docket No. 88-627-C.

3. That Premier 1 Plus Service, Corporate WATS Service, and Corporate 800 Service are consistent with the certificate issued to BTI, and are useful new offerings by the Company.

4. BTI should compensate Southern Bell and other local exchange carriers for any unauthorized intraLATA calls completed through BTI's service arrangements, as well as any incidental intraLATA calls completed through interLATA services.

CONCLUSIONS OF LAW

1. Based on the above findings of fact, the Commission determines that the proposed revisions to BTI's South Carolina Tariff to include Premier 1 Plus Service, Corporate WATS Service, and Corporate 800 Service should be approved, as should the rates submitted by the Company in its Application.

2. That all intrastate intraLATA calls must be completed over WATS, MTS, Private and Foreign exchange lines, or any other service of facility-based carriers which have been approved for

resale on an intraLATA basis. Any intraLATA calls not completed in this manner would be considered unauthorized traffic and the Company would be required to compensate the LEC's for any unauthorized intraLATA calls it carries pursuant to Commission Order No. 86-793, in Docket No. 86-187-C.

3. The original provisions of Order No. 89-339, should still be in full force and effect, except as modified by this Order.

4. This Docket should be closed.

IT IS THEREFORE ORDERED:

1. That the tariff revisions as described above are hereby approved, under the conditions stated above.

2. That the provisions of Order No. 89-339 are still in full force and effect, except as modified by this Order.

3. That this Docket is hereby closed.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

VICE Chairman



ATTEST:


Executive Director

(SEAL)